

IN THE UNITED STATE PATENT AND TRADEMARK OFFICE

PATENT

In re application of: : Rathbone, et al
For: : USE OF ENTERIC GLIA TO PROMOTE
FUNCTIONAL NERVE CONNECTIONS
Serial No. : 10/531,425
Filing Date : March 3, 2006
Art Unit : 1649
Examiner : Aditi Dutt
Attorney Docket No. : BEP 3020
Confirmation No. : 8737

REQUEST FOR REFUND UNDER 37 C.F.R. § 1.26(a)

Mail Stop 16 (Refund Requests)
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Applicant respectfully requests a refund in the amount of \$180.00.

We filed an amendment on February 22, 2007, which was electing a species, however it looks like the Legal Instruments Examiner decided that there was a multiple dependent claim being added from the amendment which was an error on the part of the U.S. Patent and Trademark Office.

Since this error was on part of the U.S. Patent and Trademark Office we ask that you refund us the amount of \$180.00.

- 1 -

Application No.: 10/531,425
Attorney Docket No.: BEP 3020

Please disburse this refund to our Deposit Account Number 50-0578.

Respectfully submitted,
KRAMER & AMADO, P.C.



Arlir M. Amado
Registration No. 51,399

KRAMER & AMADO, P.C.
1725 Duke Street
Suite 240
Arlington, VA 22202
Phone: (703) 519-9801
Fax: (703) 519-9802

Date: 4/10/07

**KRAMER | AMADO_{PC}**PATENT RESEARCH SERVICES
INTELLECTUAL PROPERTY LAW1725 DUKE STREET
SUITE 240
ALEXANDRIA, VIRGINIA 22314
PHONE: (703) 519-9801
FACSIMILE: (703) 519-9802
WWW.KRAMERIP.COM

Fax Memo

TO: Mail Stop 16 (REFUND REQUESTS)
USPTO

FAX NO.: (571) 273-6500

FROM: Arlir M. Amado
KRAMER & AMADO, P.C.

DATE: April 5, 2007

SUBJECT: U.S. Patent Application
Title: USE OF ENTERIC GLIA TO PROMOTE FUNCTIONAL
NERVE CONNECTIONS
Serial No.: 10/531,425
Attorney Docket No.: BEP 3020

PAGES: INCLUDING COVER PAGE (6)

THE INFORMATION CONTAINED HEREIN is intended only for the exclusive use of the individual or entity named above. This facsimile may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If the reader of this information is NOT the intended recipient, you are hereby notified that any dissemination, distribution, copying or use of this information in any way is strictly prohibited. If you have received this communication in error, please call us immediately and return the original information to us via U.S. Postal Service.

Message: Submitted herewith are the following:

- Request for Refund (2 pages)
- Original Response (2 pages)
- Patent Application Fee Determination Record filed in ERROR by the USPTO (1 page)

In the event that the fees submitted herewith are insufficient, please charge any remaining balance, or credit any overpayment, to our Deposit Account Number 50-0578.

APR-10-2007 16:19

KRAMER & AMADO, P.C.

703 5199802

P.04

Appl. No. 10/531,425

Resp. Dated February 21, 2007

Reply to Office action of January 24, 2007

Confirmation No.: 8737

Appl. No. : 10/531,425
Applicant : Michel P. Rathbone et al.
Filed : March 3, 2006
Title : Use of Enteric Glia to Promote Functional Nerve Connections
TC/A.U. : 1649
Examiner : Aditi Dutt

Docket No. : BEP 3020
Customer No. : 30868

Honorable Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE

Sir:

This is in response to the office action dated January 24, 2007.

Remarks begin on page 2 of this paper.

APR-10-2007 16:19

KRAMER & AMADO; P.C.

703 5199802

P.05

Appl. No. 10/531,425

Resp. Dated February 21, 2007

Reply to Office action of January 24, 2007

Remarks

Applicant elects species C; multiple sclerosis from claims 7 and 16 of the pending claims. The claims readable on the election of species include claims 1-3, 6, 7, 10-12 and 15-16.

The Commissioner is hereby authorized to charge any deficiency in fees (including any claim fees) or credit any overpayment to our credit card.

Respectfully submitted,

By

Arlir M. Amado
Reg. No. 51,399

Kramer & Amado, P.C.
Suite 240
1725 Duke Street
Alexandria, VA
U.S.A. 22314

Document code: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 03/05/2007

CBARNES1 SALE #00000001 Mailroom Dt: 02/22/2007 500578 10531425-
01 FC:2203 180.00 DA

Adjustment date: 04/24/2007 SFELEKE1
03/05/2007 CBARNES1 00000001 500578 10531425
01 FC:2203 180.00 CR

PTO/SB/06 (07-06)

Approved for use through 1/31/2007, OMB 0651-0032
 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
 This collection of information will not be used for any other purpose without your consent.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number 10/531,425		Filing Date 03/03/2006		<input type="checkbox"/> To be Mailed	
APPLICATION AS FILED - PART I										
(Column 1)			(Column 2)		SMALL ENTITY <input checked="" type="checkbox"/>		OR		OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	RATE (\$)	FEE (\$)	RATE (\$)	FEE (\$)	RATE (\$)	FEE (\$)
<input type="checkbox"/> BASIC FEE (37 CFR 1.16(e), (b), or (c))	N/A	N/A	N/A		N/A		N/A		N/A	
<input type="checkbox"/> SEARCH FEE (37 CFR 1.16(h), (i), or (m))	N/A	N/A	N/A		N/A		N/A		N/A	
<input type="checkbox"/> EXAMINATION FEE (37 CFR 1.18(e), (p), or (q))	N/A	N/A	N/A		N/A		N/A		N/A	
TOTAL CLAIMS (37 CFR 1.16(i))	minus 20 =		X \$ =		OR	X \$ =		X \$ =		
INDEPENDENT CLAIMS (37 CFR 1.16(h))	minus 3 =		X \$ =		OR	X \$ =		X \$ =		
<input type="checkbox"/> APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$260 (\$126 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).									
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))										
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL		OR	TOTAL				
APPLICATION AS AMENDED - PART II										
(Column 1)			(Column 2)		SMALL ENTITY		OR		OTHER THAN SMALL ENTITY	
AMENDMENT	02/22/2007	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)
Total (37 CFR 1.16(i))	18	Minus	20	= 0	X \$26 =	0	OR	X \$ =		
Independent (37 CFR 1.16(h))	2	Minus	3	= 0	X \$100 =	0	OR	X \$ =		
<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))										
<input checked="" type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))						180	OR			
					TOTAL ADD'L FEE	180	OR	TOTAL ADD'L FEE		
(Column 1)			(Column 2)		SMALL ENTITY		OR		OTHER THAN SMALL ENTITY	
AMENDMENT		CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)	RATE (\$)	ADDITIONAL FEE (\$)
Total (37 CFR 1.16(i))		Minus		=	X \$ =		OR	X \$ =		
Independent (37 CFR 1.16(h))		Minus		=	X \$ =		OR	X \$ =		
<input type="checkbox"/> Application Size Fee (37 CFR 1.16(s))										
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))										
					TOTAL ADD'L FEE		OR	TOTAL ADD'L FEE		
<p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.</p> <p>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".</p> <p>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".</p> <p>The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.</p> <p>This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p>If you need assistance in completing the form, call 1-800-PTO-0199 and select option 2.</p>										

Legal Instrument Examiner:
 carol barnes